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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/463,225	02/18/2000	ROBERT SCHWARTZ	ASCOP058USNP	6055

7590 06/07/2006  
ATTEN: CLERENCE A. GREEN  
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EXAMINER

VIG, NARESH

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/463,225	SCHWARTZ ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Naresh Vig	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 5-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 5-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

This is in reference to response received by the office on 10 March 2006 to the office action mailed on 17 January 2006. Cancellation of claims 3 – 4 is acknowledged. There are 18 claims, claims 1, 2 and 5 – 20 pending for examination.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1 – 20 have been considered. To expedite the prosecution of this application, Examiner had contacted applicant's attorney of record Geza Ziegler (Reg. No. 44,044) on 16 May 2006. During this conversation, examiner was informed that upon client's request they are not prosecuting this application and are not authorized to discuss the application any further. No change of address has been filed by the applicant.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 5, 10, 11, 15, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz et al. International Published Application WO 98/13790 hereinafter known as Schwartz in view of Kohorn US Patent 5,128,752 further in view of an article "Toshiba Introduces Home PC Vision Connect For Easy Connection To A TV" hereinafter known as Toshiba.

Regarding claims 1 and 2, Schwartz teaches system and method for printing postal indicia at more than one location. Schwartz teaches:

a host and more than one customer station, the host comprising at least one postal security device (PSD) [Fig. 6b, 7a],

said postal security device comprising a secure housing, cryptographic means [claim 1], and

said host and each customer station communicatively coupled [Fig. 6b, 7a];

Schwartz does not teach nonvolatile memory, the nonvolatile memory comprising an accounting register indicative of postage value. However, Schwartz teaches PSD contains accounting register [page 5, 6]. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that it is a design choice to memory like magnetic disk, NVRAM etc. to maintain the information for the available postage.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schwartz and use nonvolatile memory to maintain the available postage information for disaster recovery.

Schwartz does not teach customer station comprising a television, a set-top box communicatively coupled with the television, a remote control communicatively coupled with the set-top box, and a printer communicatively coupled with the set-top box, said printer disposed to print labels; However, Kohorn teaches tokens and coupons are generated in a television viewer's home into a home generating unit [abstract].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schwartz as taught by Kohorn to use the television network to dispense the label at user's home or office.

Schwartz in view of Kohorn does not teach a set-top box communicatively coupled with the television, a remote control communicatively coupled with the set-top box. However, Toshiba teaches convergence of computing and home entertainment. Toshiba teaches each said customer station comprising a television, a set-top box communicatively coupled with the television, a remote control communicatively coupled with the set-top box; host and each customer station communicatively coupled; remote controller with set-top box.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schwartz in view of Kohorn as taught by Toshiba to manage the accounting and dispensing of postage to clients by controlling the distribution of set-top box. For example, cable TV operators provide their set-top boxes to users to allow control the transmission of program signals to authorized users only. Toshiba teaches PC card slot for USB connectors. Official notice it taken that it would have been known to one of ordinary skill in the art at the time the invention was made

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that USB printers were commercially available (e.g. Epson Stylus Color 740). Schwartz in view of Kohorn and Toshiba teach printer communicatively coupled with the set-top box (computer), said printer disposed to print labels [Schwartz Fig. 7b];

Schwartz in view of Kohorn and Toshiba teach:

responsive to information provided by a customer at one of said customer locations via the remote control for ordering enhanced television services at the television (convergence of computing and home entertainment);

responsive to information provided by the customer at the remote control at one of said customer stations for sending to the host a first message requesting a postal indicium and identifying the customer station associated therewith, means responsive to the first message for presenting to the postal security device a request for the postal indicium;

responsive to the generation by the postal security device of a second message indicative of the postal indicium for transmitting information indicative of the postal indicium to the set-top box; and means responsive to said information indicative of the postal indicium for causing said printer to print said postal indicium on a label [Schwartz claim 1];

comprising accounting within said host storing information indicative of postage value printed at each of said customer stations [Schwartz Fig. 8];

responsive to the message identifying the customer station for modifying the stored information associated with the customer station within said accounting means (for example, it is known to one of ordinary skill in the art at the time the invention was

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made that when a user orders PPV, service provider is capable of identifying the customer station to bill the customer for the program ordered);

said postal security device disposed to make a record in its nonvolatile memory indicative of the postage value communicated in said postal indicium [Schwartz page 5, 6].

Regarding claim 5, Schwartz in view of Kohorn and Toshiba teach host system is remotely located from the customer station.

Regarding claim 10, Schwartz in view of Kohorn and Toshiba teach postal security devices in the host are shared among the customers [Schwartz Fig. 7a].

Regarding claim 11, Schwartz in view of Kohorn and Toshiba teach an operator of the host maintains a set of accounts with respect to each customer, the accounts including accounting information for each customer.

Regarding claim 15, Schwartz in view of Kohorn and Toshiba teaches set-top box further comprises an Internet communication device adapted to transmit and receive information between the customer station and the host over the Internet.

Regarding claim 17, Schwartz in view of Kohorn and Toshiba teaches set-top box comprises a web television interface.

Regarding claim 18, Schwartz teaches system and method for printing postal indicia at a location remote from a postal security device comprising accessing a host data center from a remote location via a communication link, wherein the host data center includes at least one the postal security device adapted to produce cryptographically secure postal indicia [Fig. 8, claim 1]. Schwartz does not teach accessing comprises calling up a submenu on a viewing unit at the remote location and inputting identifier information responsive to queries on the submenu. However, Kara teaches menu interface for communicating with the users [Fig. 4a – 4n].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schwartz in view of Kohorn and Toshiba as taught by Kara and use menu interface for communicating with the user to make the system more user friendly.

Schwartz in view of Kara teaches:

entering a request for a postal indicia; and

receiving the requested postal indicia from the host data center and printing the indicia on a label via a printer.

Claims 6 – 9, 13, 14 16, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz et al. International Published Application WO 98/13790 hereinafter known as Schwartz in view of Kohorn US Patent 5,128,752 further in view of



an article "Toshiba Introduces Home PC Vision Connect For Easy Connection To A TV" hereinafter known as Toshiba and Kara US Patent 6,233,568.

Regarding claim 6, Schwartz in view of Kohorn and Toshiba teach remote control, upon activation by the user to take an action. Schwartz in view of Kohorn and Toshiba does not teach postage submenu relating to postage on a display of the television, the postage submenu adapted to prompt the user to enter identification data associated with the request for postal indicia. However, Kara teaches menu interface for communicating with the users [Fig. 4a – 4n].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schwartz in view of Kohorn and Toshiba as taught by Kara and use menu interface for communicating with the user to make the system more user friendly.

Regarding claim 7, Schwartz on view of Kohorn and Toshiba does not teach identification data includes a destination address and a zip code. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that when a person wants to mail a package, mail piece includes destination address and zip code when the mail piece is to be mailed in USA. Kara teaches that information about the transaction, such as the debit or credit amount and/or other transaction information that is postage or shipping related, such as the

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addressee's ZIP code, the addressor's ZIP code, the recipient's address and name, the mail class, etc., are uploaded to the device from the PC [col. 4, lines 38 – 43].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schwartz on view of Kohorn and Toshiba as taught by Kara to be able to print shipping label for user.

Regarding claim 8, Schwartz on view of Kohorn and Toshiba does not teach human readable identifier information related to the mailpiece is printed on the label in addition to the indicia. However, Kara teaches human readable information related to the mail piece printed on the label [Fig. 9].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schwartz on view of Kohorn and Toshiba as taught by Kara to print shipping label for the user.

Regarding claim 9, Schwartz on view of Kohorn and Toshiba does not teach a weighing scale that is communicatively coupled to the set-top box, the weighing scale being adapted to determine a mass of a mail piece needing the indicia and communicate the mass information to the host for determining an amount of postage to be included in the indicia. However, Kara teaches a weighing scale communicatively coupled to a computer system (set-top box) [Fig. 1A] to provide automated input of the weight of a postal item.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schwartz in view of Kohorn and Toshiba as taught by Kara to automate input of weight of postal item.

Regarding claim 13, Schwartz in view of Kohorn and Toshiba does not teach host is communicatively linked to a plurality of delivery service providers, and the host is further adapted to retrieve and transmit price comparison information to the television display related to the request for postal indicia. However, Kara teaches Host communicatively linked to a plurality of delivery service providers, and further adapted to retrieve and transmit price comparison information to the display related to the request for postal indicia [claim 1, Fig. 8A].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Toshiba in view of Kara as taught by Kara to help user select the shipping carrier.

Regarding claims 14 and 19, Schwartz in view of Kohorn and Toshiba does not teach a postal security device associated with each of the plurality of delivery service providers. However, Kara teaches PSD associated with each of the plurality of delivery service providers to be able to communicate their rates to the user (competitive information for price comparison).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schwartz in view of Kohorn and Toshiba as

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taught by Kara to be able to securely communicate with the service providers for extracting the current information to be presented to the user.

Regarding claim 16, Schwartz in view of Kohorn and Toshiba does not teach connection to a plurality of delivery service providers and the host serves as a single point of contact between the customer station and each delivery service provider. However, Kara teaches host to be able to display comparison rates to the user from plurality of delivery service providers [Fig. 8]. Official notice it taken that it would have been obvious to one of ordinary skill in the art at the time the invention was made that Kara has means and method to get the information from plurality of delivery service providers.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Toshiba in view of Kohorn as taught by Kara to automate the pricing updating process.

Regarding claim 20, Schwartz teaches system and method for printing cryptographically secure indicia. Schwartz teaches:

a host data center remotely located from at least one customer site, the host data center including at least one postal security device adapted to generate postal indicia and adapted to be shared among customer sites [Fig. 8];

Schwartz does not teach a television based communications interface located at the customer site, the communications interface adapted to allow cryptographically

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secure postal indicia to be received from the host data center at the customer site.

Kohorn teaches television based communication (responded to earlier in response to claim 1) Schwartz in view of Kohorn does not teach communication medium located at customer site adapted to allow cryptographically secure postal indicia. However, Toshiba teaches set-top box with personal computer capability (responded to earlier in response to claim 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schwartz in view of Kohorn and Schwartz to have a cryptographically secure communication for printing indicia to minimize illegal production of postal indicia.;

Schwartz in view of Kohorn and Toshiba teaches

a printing device at the customer site adapted to allow the received indicia to be printed;

an accounting device in the host data center adapted to account for postal indicia sent to each of the customer sites when a single postal security device is shared among a plurality of customer sites.

a remote data entry unit at the customer site adapted to allow a user to enter a request for postal indicia into the communications interface. Schwartz in view of Kohorn and Toshiba does not teach activating a pop-up menu and selecting a function indicated on the menu, the function including transmitting a user identifier together with a communications interface identifier to the host data center. However, Kara teaches menu interface for communicating with the users [Fig. 4a – 4n].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schwartz in view of Kohorn and Toshiba as taught by Kara and use menu interface for communicating with the user to make the system more user friendly.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz et al. International Published Application WO 98/13790 hereinafter known as Schwartz in view of Kohorn US Patent 5,128,752 further in view of an article "Toshiba Introduces Home PC Vision Connect For Easy Connection To A TV" hereinafter known as Toshiba and Merjanian US Patent 5,920,642.

Regarding claim 12, Schwartz in view of Kohorn and Toshiba does not teach set-top box further includes a fingerprint reader adapted to authenticate the user to the host. However, Merjanian teaches a method for commerce through a set-top box in which fingerprint data is employed.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Toshiba in view of Kohorn, Kara and Ryan as taught by Merjanian and use fingerprint reader for authentication to further protect the device from unauthorized use due to the stolen identification password / code.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Applicant is required under 37 CFR '1.111 (c) to consider the references fully when responding to this office action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is (571) 272-6810. The examiner can normally be reached on M-F 7:30 - 6:00 (Wednesday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Naresh Vig  
Examiner  
Art Unit 3629

May 27, 2006